



## TITLE INSURANCE AGENT LICENSING INSTRUCTIONS

Insurance Law Section 2102 prohibits any person or business entity from acting as an insurance producer in New York, including as a title insurance agent, without a license. Insurance Law Section 2101(y) defines “title insurance agent” as any authorized or acknowledged agent of a title insurance corporation, and any subagent or other representative of such an agent, who or which for commission, compensation, or any other thing of value, performs the following acts in conjunction with the issuance of a title insurance policy:

1. sells or negotiates the sale of a title insurance policy;
2. evaluates the insurability of title, based upon the performance or review of a title search; and
3. performs one or more of the following functions:
  - A. collects, remits, or disburses title insurance premiums, escrows, or other related funds;
  - B. prepares, amends, marks up, or delivers a title insurance commitment or certificate of title for the purpose of the issuance of a title insurance policy by a title insurance corporation;
  - C. prepares, amends, or delivers a title insurance policy on behalf of a title insurance corporation; or
  - D. negotiates the clearance of title exceptions, in connection with the issuance of a title insurance policy.

This does not include any regular salaried officer or employee of an authorized title insurance corporation or of a licensed title insurance agent, who does not receive a commission or other compensation for services, when the commission or other compensation is directly dependent upon the amount of title insurance business done.

**Each person or business entity that files an application for a title insurance agent license on or before January 1, 2015 may act as such licensee without a license issued pursuant to Insurance Law Section 2139 until the Superintendent of Financial Services has made a final determination on the application for such license.**

## Qualifications

### **If New York is the declared home state:**

In order to obtain a title insurance agent license in New York, an applicant must complete a New York-approved prelicensing course\* for title insurance agents and pass the New York State title insurance agent examination unless the applicant falls into one of the exemptions set forth below. The person must complete the prelicensing course prior to sitting for the examination.

#### **\*Contact the following providers for course availability and other details:**

**Provider:** Center for Insurance Careers

275 Avenue O

Brooklyn, NY 11230

Contact: Alexander Frame (718) 339-7845 or [sandy@reedc.com](mailto:sandy@reedc.com)

**Provider:** National Law Institute

One Penn Plaza, 34<sup>th</sup> Floor

New York, NY 1019

Contact: Marc Israel (212)239-6531 or [marc@nationallawinstitute.com](mailto:marc@nationallawinstitute.com)

**Provider:** New York Real Estate and Insurance Institute

1620 East 2<sup>nd</sup> Street

Brooklyn, NY 11230

Contact: Shobha Jammula (718)382-4332 or [shobha@nyreii.com](mailto:shobha@nyreii.com)

To register and reserve an examination date, contact Prometric, Inc. either by telephone at 800-324-7147 or online at <http://www.prometric.com/newyork/ins>.

### **The prelicensing course and exam are waived IF:**

#### **1 of 2. Licensed New York State Attorney**

If an applicant is currently licensed as an attorney-at-law in New York State and is in good standing with the New York State Office of Court Administration, then the applicant does not need to complete a prelicensing course or pass a title insurance agent examination. The applicant must submit a certificate of good standing from the Appellate Division of the Supreme Court for the Division where the attorney was admitted.

#### **2 of 2 Title Insurance Agent Experience**

If an individual applicant or a sublicensee of a business entity applicant demonstrates to the satisfaction of the Superintendent of Financial Services that the individual applicant/sublicensee has, without interruption, regularly and continuously performed the functions of title insurance agent as described above for at least five years, then the individual applicant/sublicensee does not need to complete a prelicensing course or pass a title insurance agent examination. The individual applicant/sublicensee must submit one or more completed statement of experience forms with the licensing application. The form must be completed by someone other than the individual applicant/sublicensee.

Option # 2 is available only through September 2015.

## **Non-Resident Title Insurance Agent**

If an applicant is a resident of a state other than New York, applicant must be currently licensed and in compliance in applicant's declared home state. **NOTE:** Applicant's license information **MUST** be included in the National Producer Database; if not, applicant must submit a currently dated certification from the applicant's declared home state.

## **Terminated Title Insurance Agent License**

If an applicant previously passed the written title insurance agent examination in New York and was licensed as a title insurance agent in New York, or if an applicant was licensed as a title insurance agent in New York but did not pass such an examination, then the applicant does not need to complete a New York prelicensing course or pass a New York title insurance agent examination, provided the applicant applies within two years following the date of termination of the applicant's title insurance agent license.

### **How to Apply**

An applicant must submit a fully completed and signed application for a title insurance agent's license, including all applicable attachments, and the licensing fee in accordance with the fee schedule. Please make checks payable to the "Superintendent of Financial Services." Applicants should mail their applications to:

New York State Department of Financial Services  
Licensing Bureau  
One Commerce Plaza  
Albany, NY 12257

Note that the Department will charge \$20.00 for each check dishonored by the bank.

### **Additional Information:**

#### **Sponsoring Insurer**

A title insurance agent who is licensed with no company appointments is considered to be "inactive." Pursuant to the Insurance Law, in order for a title insurance agent to do business, a Company Appointment must be filed by an insurer on the title insurance agent's behalf within 15 days from the date **an agency contract is executed or the first insurance application (Contract/Policy) is submitted to the insurer. Title Insurers have been notified of this requirement.**

A title insurance agent may not transact business until a licensed title insurer has filed an appointment on behalf of the title agent.

All licensed title insurers in New York have been notified about the appointment process. If you are seeking to be appointed, please contact the insurer.

Any questions please call (518)473-9299 or email [LicRenewal@dfs.ny.gov](mailto:LicRenewal@dfs.ny.gov).

**New York State Department of Financial Services  
INSTRUCTIONS FOR TLA (TITLE INSURANCE AGENT) APPLICANT**

**AN INDIVIDUAL/TBA LICENSE WILL BE ISSUED WITH AN EXPIRATION DATE DETERMINED BY DATE OF BIRTH:**

**\*\*If applicant was born in an even numbered year, then applicant's license will expire on applicant's birthday in an even numbered year.**

**\*\*If applicant was born in an odd numbered year, then applicant's license will expire on applicant's birthday in an odd numbered year.**

**A license will not be issued for a period of more than two years.**

**\*Resident** - an applicant who has declared New York as his, her, or its home state; "Home State" means the District of Columbia or any state or territory of the United States in which the applicant maintains his, her or its principal place of residence or principal place of business. **\*Non-Resident** - licensee who has declared a state OTHER than New York as his, her, or its home state. "Home State" means the District of Columbia or any other state or territory of the United States in which the applicant maintains a principal place of residence or principal place of business AND is licensed in good standing for the line or lines of authority for which the applicant is applying in this application.

			SUBMISSION CODES – See Code Description Below				
CODE	DESCRIPTION OF LICENSE	INS/LAW SECTION	RESIDENT	NON-RESIDENT	EXEMPT FROM # 3 (Pre-Licensing Course & Exam)	LICENSING PERIOD	FEES
TLA	Title Insurance Agent (Producer)	2139	1,2,3,5,	1,2,4,5,	(1) Currently licensed as an attorney-at-law in New York State and in good standing with the New York State Office of Court Administration. (Attach a certificate of good standing from the Appellate Division of the Supreme Court for the Division where the attorney was admitted); (2) Has regularly and continuously performed the functions of a title insurance agent for at least five years without interruption. (Attach the completed Statement of Experience Form(s)); (3) An applicant who has been licensed within the last 90 days and is in good standing in the applicant's home state as a title insurance producer; or (4) Passed the written title insurance agent exam in New York, or was licensed as a title insurance agent in New York but did not pass such an examination, provided applicant submits an application within two years following the date of termination of the applicant's license.	Individual/TBA – up to two years from date of issue to date of birth expiration** (See note above)  Entities - two years – 07/01 to 06/30 of odd years	See attached fee schedule

CODE	SUBMISSION REQUIREMENT CODE CHART
1	Fully completed application. Download from the Department's website at <a href="http://www.dfs.ny.gov">http://www.dfs.ny.gov</a> .
2	<u>FEE</u> – See attached fee schedule. <b>Full fees</b> are charged when a license is issued for a licensing period of one year or more; <b>half fees</b> are charged when a license is issued for a licensing period of less than one year. Make check payable to "Superintendent of Financial Services." A fee of \$20 will be charged for each check dishonored by the bank. <b>RESIDENT:</b> Partnership, corporation, limited liability company or other entity fee is per sub-licensee. <b>NON-RESIDENT:</b> See attached fee schedule.
3	Original passed score report for title insurance agent exam taken within two years unless "exempt from # 3" above. Call Prometric* for examination information. A first time applicant must submit the precicensing course certificate (precicensing course must be completed prior to sitting for the examination) and the passed exam score report.
4	Must be currently licensed and in compliance in applicant's declared home state. <b>NOTE:</b> Applicant's license information <b>MUST</b> be included in the National Producer Database; if not, applicant must submit a currently dated certification from the state applicant has declared as applicant's home state as defined above.
5	Proof of required filing of a partnership, corporation, limited liability company, trade name or other. It is recommended that applicant obtain name approval for use of the name in the insurance industry from this Department before filing the name with a County Clerk's Office or the New York State Department of State. Applicant may submit a list of proposed names in the order of preference to New York State Department of Financial Services, Licensing Services Bureau, One Commerce Plaza, Albany, New York 12257, or <a href="mailto:licensing@dfs.ny.gov">licensing@dfs.ny.gov</a> Once a name is approved, licensing instructions will be provided.

**\*Prometric, Inc., NY Insurance Exam Registration, 7941 Corporate Drive, Nottingham, MD 21236, Telephone 800-324-7147**

[www.prometric.com/newyork/ins](http://www.prometric.com/newyork/ins)

[www.dfs.ny.gov](http://www.dfs.ny.gov)

**ORIGINAL/RELICENSING TITLE INSURANCE AGENT FEES****DETERMINATION OF RESIDENT OR NON-RESIDENT STATUS:**

- If you declared New York State as your home state, pay the fee listed on the chart for New York.
- If you declared a home state other than New York, pay the license fee listed on the chart for the state declared as the home state and in which you are a licensed insurance producer.

**COMPUTATION OF FEE TO BE SUBMITTED WITH APPLICATION:**

- The term for title insurance agent licenses is up to two years.
  - **INDIVIDUALS/TBA – Effective Date of Issued License to Date of Birth Expiration:** If you were born in an even numbered year, your license will expire on your birthday in an even numbered year.  
If you were born in an odd numbered year, your license will expire on your birthday in an odd numbered year.
  - **TITLE INSURANCE AGENT ENTITIES – July 1 to June 30 of odd numbered years.**
- To compute a licensing fee for an application to be issued for a period greater than one year, add the licensing fee plus any retaliatory fee indicated. To compute a licensing fee for an application to be issued for one year or less, add *one-half (1/2)* the licensing fee plus the *whole* of any retaliatory fee indicated.
- In addition, a relicensing applicant whose license expired within the last 2 years and who was required to document Continuing Education had he/she renewed the license, must also include both the required documentation of the accumulation of 15 credits of Continuing Education and a \$10.00 filing fee (per application, not per sub-licensee).

STATE	INDIVIDUAL/ENTITY RETALIATORY FEES	INDIVIDUAL LICENSE FEES	ENTITY LICENSE FEES
Alabama		\$ 80	\$ 100 plus \$80 per sub-licensee
Alaska		\$ 80	\$80 per sub-licensee
Arizona		(AZ does not issue Title Agent licenses to Individuals)	\$ 120 plus \$80 per sub-licensee
Arkansas		\$ 80.00	\$ 250 with 1 sub-licensee plus \$80 for each additional sub-licensee
California		\$ 228	\$ 228 plus \$80 per sub-licensee
Colorado		\$ 112	\$ 112 plus \$80 per sub-licensee
Connecticut		CT does not issue Title Agent licenses	CT does not issue Title Agent licenses
Delaware		\$ 80	\$ 80 plus \$80 per sub-licensee
District of Columbia		\$ 100	\$ 100 plus \$80 per sub-licensee
Florida		\$ 80	\$ 80 per sub-licensee
Georgia		\$ 115	\$ 115 plus \$80 per sub-licensee
Hawaii		\$ 300	\$ 225 plus \$80 per sub-licensee
Idaho		(ID does not issue Title Agent licenses to Individuals)	\$ 100 plus \$80 per sub-licensee
Illinois		\$ 500	\$ 500 plus \$80 per sub-licensee
Indiana		\$ 90	\$ 90 plus \$80 per sub-licensee
Iowa		IA does not issue Title Agent licenses	IA does not issue Title Agent licenses
Kansas		\$ 80	\$80 per sub-licensee
Kentucky		KY does not issue Title Agent licenses	KY does not issue Title Agent licenses
Louisiana		\$ 80	\$ 80 per sub-licensee
Maine		\$ 80	\$ 80 plus \$80 per sub-licensee
Maryland		\$ 80	\$ 80 per sub-licensee
Massachusetts		MA does not issue Title Agent licenses	MA does not issue Title Agent licenses
Michigan		\$ 80	\$ 80 per sub-licensee
Minnesota		\$ 80	\$ 200 plus \$80 per sub-licensee
Mississippi		\$ 100	\$ 100 plus \$80 per sub-licensee
Missouri		\$ 100	\$ 100 plus \$80 per sub-licensee

STATE	INDIVIDUAL/ENTITY RETALIATORY FEES	INDIVIDUAL LICENSE FEES	ENTITY LICENSE FEES
Montana		MT does not issue Title Agent licenses	MT does not issue Title Agent licenses
Nebraska		\$ 80	\$ 80 per sub-licensee
Nevada		\$ 195	\$ 195 plus \$80 per sub-licensee
New Hampshire		\$ 80	\$ 80 per sub-licensee
New Jersey		\$ 170	\$ 170 plus \$80 per sub-licensee
New Mexico		\$ 80	\$ 80 per sub-licensee
New York		\$ 80	\$ 80 per sub-licensee
North Carolina		\$ 100	\$ 100 plus \$80 per sub-licensee
North Dakota		\$ 100	\$ 100 plus \$80 per sub-licensee
Ohio		\$ 80	\$ 80 per sub-licensee
Oklahoma		\$ 100	\$ 100 plus \$80 per sub-licensee
Oregon		\$ 80	\$ 80 plus \$80 per sub-licensee
Pennsylvania		\$ 165	\$ 165 plus \$80 per sub-licensee
Rhode Island		\$ 130	RI does not issue licenses to entities
South Carolina		\$ 80	\$ 80 per sub-licensee
South Dakota		Does not Issue	Does not Issue
Tennessee		\$ 80	\$ 80 per sub-licensee
Texas		\$ 80	\$ 80 per sub-licensee
Utah		\$ 80	\$ 85 plus \$80 per sub-licensee
Vermont		\$ 80	\$ 80 per sub-licensee
Virginia		\$ 80	\$ 80 per sub-licensee
Washington	\$ 5	\$ 80	\$ 80 per sub-licensee
West Virginia		\$ 80	\$ 200 plus \$80 per sub-licensee
Wisconsin		\$ 80	\$ 100 plus \$80 per sub-licensee
Wyoming		Does not issue to non-residents	Does not issue to non-residents

**CANADA – Individuals and sub-licensees must qualify by New York State Requirements**

PROVINCE	INDIVIDUAL/ENTITY RETALIATORY FEES	INDIVIDUAL LICENSE FEES	ENTITY LICENSE FEES
Alberta		\$ 80	\$ 80 per sub-licensee
Manitoba		\$ 80	\$ 80 per sub-licensee
Northwest Territories		\$ 80	\$ 80 per sub-licensee
Nova Scotia		\$ 80	\$ 80 per sub-licensee
Ontario		\$ 80	\$ 80 per sub-licensee
Quebec		\$ 80	\$ 80 per sub-licensee
Saskatchewan		\$ 80	\$ 80 per sub-licensee
Yukon Territories		\$ 80	\$ 80 per sub-licensee

TERRITORY	INDIVIDUAL/ENTITY RETALIATORY FEES	INDIVIDUAL LICENSE FEES	ENTITY LICENSE FEES
Puerto Rico		\$ 157	\$ 315 plus \$80 per sub-licensee
Virgin Islands		Does not Issue	Does not Issue



3. Applicant regularly and continuously performed the following acts in conjunction with the issuance of a title insurance policy for commission, compensation, or any other thing of value:

- A. sold or negotiated the sale of a title insurance policy;
- B. evaluated the insurability of title based upon the performance or review of a title search; and
- C. performed one or more of the following functions:
  - i. collected, remitted, or disbursed title insurance premiums, escrows, or other related funds;
  - ii. prepared, amended, marked up, or delivered a title insurance commitment or certificate of title for the purpose of the issuance of a title insurance policy by a title insurer;
  - iii. prepared, amended, or delivered a title insurance policy on behalf of a title insurer; or
  - iv. negotiated the clearance of title exceptions, in connection with the issuance of a title insurance policy.

Beginning and ending dates of employment. Indicate if applicant is a currently performing the above function:

PERIOD FROM (Month/Year): \_\_\_\_\_ TO (Month/Year): \_\_\_\_\_

If applicant was terminated, then explain the reason(s) for termination (attach additional sheets if necessary):

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4. Applicant performed his or her duties satisfactorily: YES \_\_\_\_\_ NO \_\_\_\_\_  
 If "no", applicant's performance was not satisfactory in the following respects (attach additional sheets if necessary): \_\_\_\_\_

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5. I hereby provide any other facts within my knowledge, or of which I have information, that in my opinion bear on applicant's competency and trustworthiness (attach additional sheets if necessary): \_\_\_\_\_

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Under penalty of perjury, I affirm that the information provided on this form has been written by me or under my direction; that the substance and the language have been supplied by me and not by the applicant or any other person; that I carefully read all statements and that they are true to my own knowledge, except those stated to have been made on information and belief, or which express my opinion, and as to those statements, I believe them to be true.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

Form Expires 9/2015



**4. If any of the following questions are answered “YES,” an explanation must be attached.**

(a) Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?..... Yes or No

You may exclude the following misdemeanor convictions or pending misdemeanor charges: traffic citations, driving under the influence (DUI), driving while intoxicated (DWI), driving without a license, reckless driving, or driving with a suspended or revoked license.

You may also exclude juvenile adjudications (offenses where you were adjudicated delinquent in juvenile court).

(b) Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?..... Yes or No

You may exclude juvenile adjudications (offenses where you were adjudicated delinquent in juvenile court).

(c) Have you ever been convicted of a military offense, had a judgment withheld or deferred, or are you currently charged with committing a military offense?..... Yes or No

NOTE: for questions a, b, and c “**Convicted**” includes, but is not limited to, having been found guilty by verdict of a judge or jury, having entered a plea of guilty or nolo contendere or no contest, or having been given probation, a suspended sentence or a fine.

(d) Have you been named or involved as a party in an administrative proceeding, including a FINRA sanction or arbitration proceeding, regarding any professional or occupational license, registration or certification?..... Yes or No

“Involved” means having a license, registration or certification censured, suspended, revoked, canceled, terminated; or being assessed a fine, placed on probation, sanctioned or surrendering a license to resolve an administrative action. “Involved” also means being named as a party to an administrative or arbitration proceeding which is related to a professional or occupational license or registration. “Involved” also means having a license or registration application denied or the act of withdrawing an application to avoid a denial. INCLUDE any business so named because of your actions in your capacity as an owner, partner, officer, director, or member or manager of a Limited Liability Company. You may exclude terminations due solely to noncompliance with continuing education requirements or failure to pay a renewal fee.

(e) Has any demand been made or judgment rendered against you, or any business in which you are or were an owner, partner, officer or director, or member or manager of a limited liability company, for overdue monies by an insurer, insured or producer, or have you been subject to a bankruptcy proceeding? Do not include personal bankruptcies, unless they involve funds held on behalf of others..... Yes or No

(f) Have you been notified by any jurisdiction of any delinquent tax obligation that is not the subject of a repayment agreement?..... Yes or No

(g) Are you currently a party to, or have you ever been found liable in any lawsuit, arbitration or mediation proceeding involving allegations of fraud, misappropriation or conversion of funds, misrepresentation or breach of fiduciary duty?..... Yes or No

(h) Have you, or any business in which you are or were an owner, partner, officer or director, or member or manager of a limited liability company, ever had an insurance agency contract or any other business relationship with an insurance company terminated for any alleged misconduct?..... Yes or No

**RELICENSING APPLICANTS MUST ANSWER THIS QUESTION.**

5. Since expiration of your last authority, have you transacted business in New York State for the license you are applying for in this application?..... Yes or No

### Applicant Certification and Attestation

- ◆ The Applicant must read the following very carefully:
- ◆ I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.
- ◆ Where required by law, I hereby designate the Superintendent of Financial Services to be my agent for service of process regarding all insurance matters in New York State and agree that service upon the Superintendent is of the same legal force and validity as personal service upon myself.
- ◆ I further certify that I grant permission to the Superintendent of Financial Services to verify any information supplied with any federal, state or local government agency, current or former employer, or insurance company.
- ◆ The New York State Superintendent of Financial Services is hereby authorized to give any information concerning me, as permitted by law, to any federal, state or municipal agency, or any other organization as referenced in Section 110 of the New York State Insurance Law and I release any person acting on the Superintendent's behalf from any and all liability of whatever nature by reason of furnishing such information.
- ◆ I acknowledge that I understand and will comply with the New York Insurance Laws and regulations promulgated thereunder.
- ◆ **For Non-Resident License Applicants**, I certify that I have been licensed within the last ninety (90) days and in good standing in the home state/resident state for the lines of authority requested from the non-resident stat

Dated \_\_\_\_\_ 20 \_\_\_\_

\_\_\_\_\_  
Applicant Signature

Telephone No. \_\_\_\_\_

E-Mail Address \_\_\_\_\_

\_\_\_\_\_  
Applicant Name (Printed or Typed)

URL/Website Address \_\_\_\_\_

#### \* CHILD SUPPORT NOTIFICATION \*

Persons four (4) months in arrears in child support or who have failed to comply with a summons, subpoena, or warrant relating to paternity or child support proceeding may be subject to suspension of their business, professional, driver, and/or recreational licenses and permits including, but not limited to, licenses pursuant to §11-0713 of the Environmental Law.

Intentional submission of false statements for the purposes of frustrating/defeating lawful enforcement of support obligations is punishable under §175.35 of the Penal Law.

#### \* PRIVACY NOTIFICATION \*

Pursuant to Article 1, Section 5 of the New York State Tax Law, it is mandatory that you report your Social Security Number and/or Employer Identification Number. Your failure to respond may be reported to the Department of Taxation and Finance. These tax identification numbers are being collected to enable the Department of Taxation & Finance to identify entities which are delinquent in or have understated their tax liabilities, and may be used for any purpose authorized by the Tax Law. They will be maintained by the Director, Licensing Services Bureau, New York State Dept. of Financial Services, One Commerce Plaza, Albany, New York 12257. Telephone: (518) 474-6630.

The New York State Dept. of Financial Services will, absent your written objection, which must be attached to this application, provide these tax identification numbers to the National Association of Insurance Commissioners for inclusion in its Producer Database.